Committee Room, Austin, Texas, February 3, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 268, A bill to be entitled "An Act to create an additional criminal district court for the county of Harris; and to provide for district, jurisdiction and organization of, and procedure in said court; to provide for the transferring and docketing of cases and to provide for the trial and disposition of causes during the absence of either judge; to provide for the appointment and election, qualification, jurisdiction, duties, powers and compensation of a judge thereof; to provide for a seal, and to provide for a sheriff, clerk and attorney thereof, and to provide for the appointment and pay of special deputy clerks, and an assistant district attorney; to fix the time for holding terms thereof, and to provide for jury service and empanelling of grand juries; to limit and conform thereto jurisdiction of the Criminal District Court of Harris county,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

## NINETEENTH DAY. (Continued.)

(Tuesday, February 8, 1927.)

The House met at 9 o'clock a. m. and was called to order by Speaker Bobbitt.

## REPORT OF THE COMMITTEE TO INVESTIGATE CERTAIN BRIB-ERY CHARGES.

The House resumed consideration of pending business, same being the report of the committee to investigate certain bribery charges.

(Pending the reading of the testimony, Mr. DeBerry and Mr. Jacks occupied the chair temporarily.)

(Speaker in the chair.)

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, February 8, 1927. Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to Barnett inform the House that the Senate re-Barron.

quests the House to return Senate concurrent resolution No. 14 for further consideration.

Respectfully, MORRIS C. HANKINS, Assistant Secretary of the Senate.

## MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, February 8, 1927. Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following resolution:

passed the following resolution:
S. C. R. No. 14, Recalling Senate bill
No. 17 from the Governor for further
consideration.

Respectfully, MORRIS C. HANKINS, Assistant Secretary of the Senate.

### RECESS.

On motion of Mr. Barron, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2:00 o'clock p. m. and was called to order by the Speaker.

# REPORT OF THE COMMITTEE TO INVESTIGATE BRIBERY CHARGES.

The House resumed consideration of pending business, same being the report of the committee to investigate certain bribery charges.

Mr. Young moved a call of the House for the purpose of maintaining a quorum pending consideration of the report, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll of the House was taken, and the following members answered to their names:

Mr. Speaker. Bass.
Acker. Bateman.
Alexander. Beck.
Anderson. Bird.
Avis. Black.
Barnett. Boggs.
Barron. Boon.

Branch. Brown. Conway. Cornwell. Cox. Daniel. Davis. DeBerry. Deleberry. Dielmann. Dunlap. Durham. Duvall. Enderby. Eickenroht. Farrar. Faulk. Finlay. Finlay. Fiorbes. Fuchs. Gibson. Gilbert. Graves. Gray. Hagaman. Hall. Harman. Hefley. Hefley. Holder. Hefley. Holder. Holland. Hornaday. Jacks. Jones. Justice. Kayton. Kayton. Kennedy. Kenyon. Kincaid. King of Hopkins. King of Travis Parish of Runnel Parrish of Runnel Parrish of Travis Pavlica. Pavlica. Pavlica. Pavlica. Pavlica. Pavlica. Parrish of Runnel Parrish of Travis Pavlica. Pearce. Pearce. Pearce. Pearce. Pavlica. Pavlica. Pavlica. Pavlica. Pavlica. Pavlica. Pavlica. Pavlica Pavlica. Pavlica Pavli		
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Throckmorton. Waddell. Kinnear. Walker. Kirkland. Wallace Land. of Freestone. Loftin. Wallace of Panol Long. Wallace of Smith Loy. Ware. McCombs. Wassell. McGill. Webb. McKean. Wells.	Kincaid.	Turner.
Throckmorton. Waddell. Kinnear. Walker. Kirkland. Wallace Land. of Freestone. Loftin. Wallace of Panol Long. Wallace of Smith Loy. Ware. McCombs. Wassell. McGill. Webb. McKean. Wells.	King of Honkins	Van Zandt
Throckmorton. Kinnear. Kirkland. Land. Loftin. Long. Loy. McCombs. McGill. McKean. Waddell. Walker. Wallace of Freestone. Wallace of Pano Wallace of Smith Ware. Ware. Ware. Wassell. Webb. Wells.	Ving of	Vootoh
Kinnear. Kirkland. Land. Loftin. Long. Loy. McCombs. McGill. McKean. Walker. Wallace Wallace Mallace of Pano Wallace of Smith Ware. Ware. Wassell. Webb. Wells.	Threelementen	Waddell
Kirkland.  Land.  Loftin.  Long.  Loy.  McCombs.  McGill.  McKean.  Wallace  of Freestone.  Wallace of Pano  Wallace of Smith  Ware.  Ware.  Wassell.  Webb.  Wells.	Trickmorton.	Wadden.
Land. of Freestone. Loftin. Wallace of Pano Long. Wallace of Smith Ware. McCombs. Wassell. McGill. Webb. McKean. Wells.	Kinnear.	
Loftin. Wallace of Pano Long. Wallace of Smith Ware. McCombs. Wassell. McGill. Webb. McKean. Wells.		
Long. Wallace of Smith Ware. Ware. Wassell. Webb. McKean. Wells.		of Freestone.
Loy. Ware. McCombs. Wassell. McGill. Webb. McKean. Wells.		
McCombs. Wassell. McGill. Webb. McKean. Wells.	Long.	
McCombs. Wassell. McGill. Webb. McKean. Wells.	Lov.	Ware.
McGill. Webb. McKean. Wells.	McCombs.	Wassell.
McKean. Wells.		
Morritt Whitaker	Merritt.	Whitaker.
Minor. Williams		Williams
		of Travia
Morse. of Travis.	Worse.	
Moursund. Williamson.		
Murphy. Woodall.	Murphy.	
Nabors. Woodruff.	Nabors.	
Nicholson. Young.	Nicholson.	Young.

#### Absent.

Cummings. Dale. Foster. Gates. Kemble. Lipscomb. Masterson. Montgomery. Moore. Reagan.

Renfro of Mills.

Absent—Excused.

Albritton. Smith of Atascosa.
Bonham. Tillotson.
Johnson. Williams
Kirby. of Sabine.
Powell.

On motion of Mr. Young, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Mr. Sinks offered the following resolution:

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative F. A. Dale be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time. Mr. Holland moved the previous question on the resolution, and the motion was not seconded.

Mr. Satterwhite moved the previous question on the resolution, and the motion was not seconded.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

#### Yeas-133.

Mr. Speaker. Boon. Branch. Acker. Alexander. Brown. Conway Anderson. Cornwell. Avis. Barnett. Cox. Cummings. Barron. Daniel. Bass. Bateman. Davis. DeBerry. Beck. Denman. Black. Dielmann. Boggs.

Dunlap.	Pearce.
Durham.	Petsch.
Duvall.	Poage.
Enderby.	Pool.
Eickenroht.	Pope.
	Porter.
Farrar.	Purl.
Faulk.	
Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro
Foster.	of Angelina.
Fuchs.	Renfro of Mills. Rogers of Hays.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Runge.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Sheats.
Hefley.	Simmons.
High.	Sinks.
Holder.	Smith of Atascosa
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Nueces. Smith of Smith.
Johnson.	Smyth.
Jones.	Snelgrove.
Justice.	Stell.
Kayton.	Stevenson.
Kemble.	Storey-
Kennedy.	Stout.
Kenyon.	Sutton.
Kincaid.	Swain.
King of	Taylor.
Throckmorton.	Teer.
King of Hopkins.	Turner.
Kinnear.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
	Walker.
Lipscomb.	
Long.	Wallace of Freestone.
	Wallace of Bonela
Masterson.	Wallace of Panola
McCombs.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Merritt.	Webb.
Minor.	Wells.
Morse.	Whitaker.
Moursund.	Williams .
Murphy.	of Travis
Nabors.	Williamson.
Nicholson.	Woodall.
Olsen.	Woodruff.
Parish of Runnels.	Young.
Parrish of Travis.	
***	

#### Nays-4.

Loftin. Sanders. Pavlica. Shirley.

Present-Not Voting.

Bird. Reagan.

Absent.

Dale. Moore. Gates. Tillotson.

Absent-Excused.

Albritton. Powell.
Bonham. Williams
Kirby. of Sabine.
Montgomery.

Mr. Sinks offered the following reso-

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative H. H. Moore be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time. Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—119.

Denman. Mr. Speaker. Dielmann. Acker. Alexander. Dunlap. Anderson. Durham. Duvall. Avis. Enderby. Barnett. Barron. Faulk. Bass. Fly. Forbes. Bateman. Black. Foster. Fuchs. Boggs. Gilbert. Boon. Branch. Graves. Hagaman. Brown. Hall. Conway. Cornwell. Harding. Cox. Harman. Cummings. Hefley. Daniel. High. Holder. Davis. DeBerry. Holland.

Rogers of Shelby. Jacks. Jones. Rowell. Justice. Runge. Kayton. Satterwhite. Kemble. Shaver. Kennedy. Shearer. Kenyon. Sheats. Kincaid. Simmons. King of Hopkins. Sinks. Smith of El Paso. King of Smith of Nueces. Smith of Smith. Throckmorton. Kirkland. Lipscomb. Smyth. Snelgrove. Long. Loy. Masterson. Stell. Stevenson. McCombs. Storey. McGill. Stout. McKean. Sutton. Merritt. Swain. Minor. Taylor. Morse. Teer. Tillotson. Moursund. Turner. Murphy. Van Zandt. Nabors. Nicholson. Veatch. Olsen. Waddell. Walker. Parish of Runnels. Parrish of Travis. Wallace Petsch. of Freestone. Poage. Wallace of Panola. Pool. Wassell. Pope. Webb. Porter. Wells. Whitaker. Purl. Ramsey. Williams of Travis. Williamson. Rawlins. Renfro of Angelina. Woodruff. Renfro of Mills. Young.

## Nays-14.

Farrar. Pavlica. Finlay. Pearce. Gibson. Sanders. Hornaday. Shirley. Smith of Atascosa. Johnson.

Land. Ware. Loftin. Woodall.

## Present-Not Voting.

Bird. Eickenroht.

Rogers of Hays.

Reagan.

Wallace of Smith.

### Absent.

Beck. Dale. Gates.

Gray. Kinnear. Moore.

#### Absent—Excused.

Albritton. Bonham. Kirby. Montgomery. Powell. Williams of Sabine.

Mr. Young moved to reconsider the vote by which the resolutions were adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas-108. Mr. Speaker. Morse. Acker. Alexander. Moursund. Murphy. Anderson. Nabors. Avis. Nicholson. Barnett. Olsen. Barron. Parish of Runnels. Parrish of Travis. Bass. Beck. Petsch. Bird. Poage. Pool. Boon. Pope. Branch. Porter. Brown. Purl. Conway . Ramsey. Cornwell. Rawlins. Cox. Cummings. Renfro of Angelina. Daniel. Renfro of Mills. Davis. DeBerry. Rogers of Hays. Denman. Rogers of Shelby. Durham. Rowell. Duvall. Satterwhite. Enderby. Shaver. Eickenroht. Shearer. Faulk. Sheats. Fly. Shirley. Simmons. Foster. Sinks. Fuchs. . Smith of El Paso. Gilbert. Smith of Nueces. Smith of Smith. Graves. Gray. Snelgrove. Hagaman. Hall. Stell. Storey. Harding. Harman. Stout. High. Holder. Sutton. Swain. Taylor. Holland. Teer. Johnson. Jones.

Kennedy. Kenyon. Kincaid. King of Throckmorton. Land. Lipscomb.

Loy. McCombs. McGill. McKean. Merritt. Minor.

Justice.

Kemble.

Turner. Van Zandt. Veatch. Waddell. Wallace of Freestone.

Wallace of Smith. Wassell. Webb. Wells. Whitaker. Williams of Travis. Williamson. Woodruff.

Wallace of Panola.

## Nays-21.

Masterson. Dielmann. Pavlica. Dunlap. Pearce. Finlay. Runge. Gibson. Hefley. Sanders. Smith of Atascosa.

Hornaday. Jacks. King of Hopkins. Kirkland.

Loftin. Long.

Smyth. Walker. Ware. Woodall.

## Absent.

Bateman. Kayton. Black. Kinnear. Boggs. Moore. Dale. Reagan. Farrar. Stevenson. Forbes. Young. Gates.

### Absent-Excused.

Albritton. Powell. Tillotson. Bonham. Kirby. Williams of Sabine. Montgomery:

Instructions to Sergeant-at-Arms.

The Speaker then delivered the following instructions to the Sergeant-at-Arms of the House:

Office of Speaker, Austin, Texas, February 8, 1927. Mr. Joe W. White, Sergeant-at-Arms, House of Representatives, Austin, Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, A. D. 1927, expelling F. A. Dale, I now request that you notify the said F. A. Dale of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said F. A. Dale, and declared his seat vacant.

Respectfully submitted, ROBERT LEE BOBBITT, Speaker of the House.

Office of the Speaker, Austin, Texas, February 8, 1927. Mr. Joe W. White, Sergeant-at-Arms, House of Representatives, Austin, Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, 1927, expelling H. H. Moore, I now request that you notify the said | lution:

H. H. Moore of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said H. H. Moore, and declared his seat vacant.

Respectfully submitted, ROBERT LEE BOBBITT. Speaker of the House.

Reasons for Votes.

I vote "nay" on the committee report. I feel in my heart that I cannot vote to expel Mr. Dale and Mr. Moore. I still have doubt in my heart as to their

#### PAVLICA.

I vote against the expulsion of Moore for the reason that I do not believe Chamberlin under oath. I believe him to be a liar, a grafter and a crook. His is the main testimony against Moore. The only punishment we are voting on is expulsion. I believe Moore should be punished some way for even eating lunch with such an animal as I believe Chamberlin to be, but he should not be expelled.

FINLAY.

Having been away during the investigation of the above cause, and listening attentively as possible to the reading of the evidence since my return, the full purport I could not follow on account of the confusion and noise in the House. I cannot cast an intelligent vote, and not wishing to harm or injure any man, I therefore vote "present-not voting." BIRD.

## MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, February 8, 1927. Hon. Robert Lee Bobbitt, Speaker of the

House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 141, A bill to be entitled "An Act to amend Article 2889a, Revised Civil Statutes, 1925, pertaining to the issuance of teachers' certificates.

Respectfully, MORRIS C. HANKINS, Assistant Secretary of the Senate.

RELATING TO ACTIVITIES OF CER-TAIN LOBBYIST.

Mr. Sheats offered the following reso-

Whereas, The House of Representatives desires to maintain its honor and integrity, as well as the interest and welfare of the people of Texas; and

Whereas, A full, fair and complete investigation has been made by the House of Representatives relating to charges against Representatives F. A. Dale and H. H. Moore; and

Whereas, The testimony discloses that the conduct of W. W. Chamberlin is a reflection on the House of Representatives and upon the State of Texas; therefore, be it

Resolved by the House of Representatives of the State of Texas:

Section 1. That a committee of nine members of the House of Representatives be appointed by the Speaker, whose duty it shall be to conduct a prompt and full investigation of the conduct of W. W. Chamberlin, and report its finding to the House of Representatives, together with its recommendations.

That the committee shall formulate its own rules of procedure and evidence, and provide its own hours of

meeting and adjournment.

Sec. 3. The committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance.

Sec. 4. That witnesses attending the sessions of said committee, under process, shall be allowed the same mileage and per diem as is allowed in the trial of criminal cases in district court.

Sec. 5. That said committee shall have power and authority to employ and compensate all necessary investigators, attorneys, stenographers, and all other necessary employes, and it shall be the duty of said committee to make and keep a record of its findings.

Sec. 6. That all necessary expenses incident to conduct such investigation shall be paid out of the contingent expense fund of the Fortieth Legislature, upon the sworn accounts of all persons entitled to such pay, when approved by the chairman of said committee.

The resolution was read second time. Mr. Satterwhite moved that the resolution be referred to the Committee on State Affairs.

Mr. Sheats moved to table the motion to refer the resolution, and the motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on State Affairs, yeas and nays were demanded.

The motion to refer prevailed by the following vote:

Yeas-94.

Alexander. Nabors. Anderson. Nicholson. Avis. Parish of Runnels. Barnett. Parrish of Travis. Barron. Pavlica. Bass. Petsch. Bateman. Poage. Beck. Pool. Bird. Pope. Boon. Porter. Brown. Purl. Conway Ramsey. Cornwell. Rawlins. Daniel. Renfro Davis. of Angelina DeBerry. Renfro of Mills. Denman. Rogers of Hays. Dielmann. Rogers of Shelby. Durham. Rowell. Farrar. Runge. Finlay. Sanders. Fly. Satterwhite. Foster. Shaver. Fuchs. Shearer. Gilbert. Simmons. Gray. Sinks. Hagaman. Smith of Smith. Hall. Smyth. High. Snelgrove. Holder. Stevenson. Holland. Stout. Johnson. Swain. Jones. Taylor. Justice. Teer. Turner. Kennedy. Van Zandt. Kenyon. Kincaid. Veatch.

King of Hopkins. Waddell. King of Walker. Wallace Throckmorton. Kinnear. Wallace of Panola. McCombs. Wallace of Smith. McGill. McKean. Wassell. Webb.

Merritt. Minor. Morse. Moursund.

Murphy.

Nays .- 30.

Wells.

Young.

Whitaker.

Black. Boggs. Cox. Cummings. Enderby. Eickenroht. Faulk. Gibson. Graves. Harding. Harman. Hefley. Hornaday. Jacks.

Land. Lipscomb. Long. Loy. Masterson. Olsen. Pearce. Reagan. Sheats. Shirley. Stell. Storey. Ware.

of Freestone.

Williams of Travis.

Woodall. Woodruff.

Present-Not Voting.

Smith of Atascosa.

#### Absent.

Acker. Dale. Dunlap. Duvall. Forbes.

Kirkland. Loftin. Moore.

Smith of El Paso. Smith of Nueces. Sutton. Williamson.

Kayton. Kemble.

Gates.

#### Absent-Excused.

Albritton. Bonham. Branch. Kirby.

Powell. Tillotson. Williams of Sabine.

Montgomery.

### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read first time and referred to the appropriate committees as fol-

Senate bill No. 149, to the Committee on Appropriations.

Senate bill No. 78, to the Judiciary Committee.

Senate bill No. 156, to the Committee on Agriculture.

Senate bill No. 160, to the Committee on State Affairs.

Senate bill No. 171, to the Committee on Education.

Senate bill No. 223, to the Committee on Judicial Districts.

Senate bill No. 224, to the Committee on School Districts.

Senate bill No. 141, to the Committee on Education.

#### ADJOURNMENT.

On motion of Mr. Barron, the House, at 4:50 o'clock p. m., adjourned until 11 o'clock a. m. tomorrow.

#### APPENDIX.

## STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Insurance: House bill No. 370. Banks and Banking: House bill No. 396.

Criminal Jurisprudence: House bills Nos. 405, 431, 81, 64.

The following standing committee has today filed adverse report on bill as follows:

Municipal and Private Corporations: House bill No. 380.

## REPORT OF COMMITTEE ON EN-GROSSED BILLS.

Committee Room, Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 337, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of directors thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status; and providing this act shall become effective on the 1st day of May, 1927,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### TWENTIETH DAY.

(Wednesday, February 9, 1927.)

The House met at 11 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker. Alexander. Anderson. Avis.

Barnett. Barron.

Bass. Bateman.